

AGRICULTURAL LAND, 5%;

(2) EXCEPT AS PROVIDED IN ITEM (3) OF THIS SUBSECTION, FOR A TRANSFER OF LESS THAN 20 ACRES OF AGRICULTURAL LAND ASSESSED FOR AGRICULTURAL USE OR AS UNIMPROVED AGRICULTURAL LAND, 4%; OR

(3) FOR A TRANSFER OF LESS THAN 20 ACRES OF AGRICULTURAL LAND ASSESSED AS IMPROVED AGRICULTURAL LAND OR AGRICULTURAL LAND WITH SITE IMPROVEMENTS, 3%.

(B) TRANSFERS SUBJECT TO MORE THAN A SINGLE RATE.

IF AN INSTRUMENT OF WRITING IS SUBJECT TO DIFFERENT RATES OF AGRICULTURAL LAND TRANSFER TAX UNDER SUBSECTION (A) OF THIS SECTION, THE TOTAL AGRICULTURAL LAND TRANSFER TAX DUE IS COMPUTED SEPARATELY FOR EACH PARCEL PORTION OF AGRICULTURAL LAND TO WHICH A DIFFERENT RATE APPLIES.

(C) REDUCTION IN RATE.

EXCEPT AS PROVIDED BY § 13-305(C)(2) OF THIS SUBTITLE, THE AGRICULTURAL LAND TRANSFER TAX DETERMINED UNDER SUBSECTIONS (A) OR (B) OF THIS SECTION IS REDUCED BY 25% FOR EACH CONSECUTIVE FULL TAXABLE YEAR BEFORE A TRANSFER IN WHICH PROPERTY TAX ON THE AGRICULTURAL LAND WAS PAID ON THE BASIS OF ANY ASSESSMENT OTHER THAN THE FARM OR AGRICULTURAL USE ASSESSMENT UNDER § 8-209 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 81, § 278F(b) and (e).

In subsection (a)(2) of this section, the defined term "agricultural land" is substituted for the former reference to "parcel ... assessed on the basis of its agricultural use", for clarity.

In subsection (c) of this section, the reference to the exception "as provided by § 13-105(c)(2) of this subtitle" is added to recognize the reduction that is applicable to agricultural land subject to declarations of intent to farm.

Also in subsection (c) of this section, the reference to the taxable year "before a transfer" is added for clarity.

Also in subsection (c) of this section, the phrase "any assessment other than the farm or agricultural use assessment" is substituted for the former phrase "a nonagricultural use assessment", for clarity.

Defined terms: "Agricultural land" § 13-301
"Agricultural land transfer tax" § 13-301